



Patent  
Attorney's Docket No. 033347-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of ) Confirmation No. 5950  
Gorman et al. ) Group Art Unit: 1644  
Application No.: 09/671,658 ) Examiner: Jamroz, Margaret E.  
Filed: September 27, 2000 )  
For: MAMMALIAN CELL SURFACE )  
ANTIGENS: RELATED REAGENTS )

TECH CENTER 1600/2900

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Box Sequence  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants request that the sequence information previously submitted for the parent application be used in the present application. The paper copy of the Sequence Listing in this application serial number 09/671,658 is identical to the computer readable copy of the Sequence Listing filed in the parent application serial number U.S. Application Serial No. 08/989,362, filed December 12, 1997, now U.S. Patent 6,242,586. In accordance with 37 C.F.R. § 1.821(e), please use the first-filed computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in the application number and filing date for the instant application.

Respectfully submitted,  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Mary Ann Dillahunt  
Mary Ann Dillahunt  
Registration No. 34,576

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(650) 622-2300

Date: May 13, 2002

C



## Notice to Comply

Application No.

09/671,658

Applicant(s)

GORMAN ET AL.

Examiner

Art Unit

Margaret E. Jamroz

1644

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other:

#### Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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For: MAMMALIAN CELL SURFACE )  
ANTIGENS; RELATED REAGENTS )

AMENDMENT AND REPLY TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Enclosed is an Amendment and Reply in response to the Office Action, mailed on January 29, 2002, for the above-identified patent application.

- A Petition for Extension of Time (one month) is also enclosed.
- A Terminal Disclaimer and a check for [ ] \$55.00 (248) [ ] \$110.00 (148) to cover the requisite Government fee are also enclosed.
- A Request to Transfer Sequence Listing.
- A Request for Corrected Filing Receipt and a copy of the Official Filing Receipt with the corrections requested marked in red are also enclosed.
- Also enclosed is a copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed January 29, 2002.
- Also enclosed is \_\_\_\_\_.
- Small entity status is hereby claimed.
- Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the [ ] \$370.00 (279) [ ] \$740.00 (179) fee due under 37 C.F.R. § 1.17(e).

A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.

No additional claim fee is required.

An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims	25	MINUS 20 =	5	× \$18.00 (103) =	\$90.00
Independent Claims	4	MINUS 3 =	1	× \$84.00 (102) =	\$84.00
If Amendment adds multiple dependent claims, add \$280.00 (104)					
Total Amendment Fee					\$174.00
If small entity status is claimed, subtract 50% of Total Amendment Fee					
<b>TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT</b>					<b>\$174.00</b>

A check in the amount of \$ 284.00 (\$174.00 for the claim fee and \$110.00 for the petition for extension of time fee) is enclosed.

Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Mary Ann Dillahunt  
Mary Ann Dillahunt  
Registration No. 34,576

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